

To: **Planning Commission**  
Through: **Ben Boike, Community Development Director**  
From: **Melissa Houtsma, City Planner**  
Date: **May 16, 2023**

## **PC Case 23-08 – An Ordinance Amending Multiple Sections of Chapters 150 and 153 of the West St. Paul City Code Regarding Regulations for Signs and Murals**

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### **BACKGROUND:**

Since 2021 city staff has been working with the City Council and legal counsel to update the city's sign code, partially in response to the direction of the City Council to relax certain aspects of the code as well as in response to recent U.S. Supreme Court rulings, specifically around the first amendment. (*See League of MN Cities article – [Sign Ordinances and the First Amendment](#)*)

In order to accomplish the goals outlined by City Council, various sections of the city code, outside of just strictly the sign code section, needed to be changed or altered. While some of the recommended changes are being made throughout various parts of the code, all changes can be tied back to the necessary changes in the sign code to accomplish said goals. In very short summary, the proposed changes accomplish the following:

- New definition of a “sign”, to be less restrictive for non-commercial signs in residential districts. As well as to allow for community art, murals, etc. in commercial districts.
- Allowing non-commercial speech, murals in the commercial districts, per direction of the council, staff is recommending a cumulative building coverage rather than a per wall/elevation coverage limitation to accommodate more complete and comprehensive murals, as opposed to them likely being more segmented by the percentage per each wall/elevation approach.
- Allowing transparent window clings as an exception that would not count toward the maximum allowable signage in commercial districts.
  - Clings must be transparent when viewed from the interior of the building, therefore allowing individuals within the building to see out, but not allowing those outside to see inside.
- Cumulative maximum for regulating temporary signs in residential districts (max of 10 sq. ft.), rather than number of signs (one sign per lot).
  - As well as now allowing signs to be mounted or affixed (not painted) onto fences, which was previously prohibited.
- Allowance for varying sign types for non-residential uses within the R Districts, such as churches and schools, rather than having the same allowances for single family homes as churches and schools.

- Various housekeeping items such as adding a severability section within the sign code section, clarification on definition for allowable signage to more clearly communicate the content neutral enforcement.
  - One specific example being changing, “Temporary real estate signs” to “Temporary signs used for the purposes of selling or leasing real property”. While the change may appear trivial at the surface, courts have ruled more favorably on the latter of the two descriptors.

#### **STAFF RECOMMENDATION:**

Staff recommends the Planning Commission hold a public hearing and recommend approval of the proposed amendments to chapters 150 and 153 as presented by staff.

#### **ATTACHMENTS:**

Staff Presentation  
Redlined Ordinance

#### **TIMELINE:**

May 16: Planning Commission (Public Hearing)  
May 22: City Council First Reading  
June 12: City Council Final Reading